

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

v.

BENITO CASANOVA

(Name and Address of Defendant)

FILED

APR 29 2008

April 23, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**MAGISTRATE JUDGE VALDEZ**CRIMINAL COMPLAINT
UNDER SEAL

CASE NUMBER:

08CR**337**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 04/18/2008 in Cook county, in the

Northern District of Illinois defendant(s) did, (Track Statutory Language of Offense)

move and travel in interstate commerce to avoid prosecution for the Illinois felony of Child Abduction

in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No

Signature of Complainant

Sean J. Burke

Special Agent

Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

April 23, 2008

Date

at Chicago, Illinois

City and State

Signature of Judicial Officer

Maria Valdez, United States Magistrate Judge
Name & Title of Judicial Officer

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

A F F I D A V I T

I, SEAN J. BURKE, being duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), Department of Justice, and have been so employed for over six years. I am currently assigned to the FBI Violent Crimes/Fugitive Task Force and am familiar with fugitive investigations. The information contained in this affidavit was furnished to me by various Chicago Police Department (CPD) detective contacts, unless otherwise indicated.

2. On April 21, 2008, family members of SOPHIA GARCIA contacted the Chicago Police Department (CPD) and asked that CPD conduct a well being check at GARCIA's residence, located at 1721 North Harding in Chicago. GARCIA resided at the residence with her husband/boyfriend, BENITO CASANOVA and their three children, FERNANDO CASANOVA, KARLA CASANOVA and OSCAR CASANOVA. GARCIA's family advised CPD that GARCIA and her three children had not been seen or heard from since April 18, 2008.

3. CPD officers responded to 1721 North Harding and forced entry into the residence, after receiving no answer at the door. GARCIA was found dead in a bedroom closet with blunt force trauma to her head and a plastic bag tied over her head. CASANOVA and the three children were not located. Subsequently, CASANOVA became a person of interest in GARCIA's homicide. It is believed that GARCIA was murdered on April 18, 2008.

4. On April 21, 2008, the State of Illinois issued an Amber Alert for GARCIA's three missing children, once it was realized that the children were missing. It was determined that GARCIA had an Order of Protection issued against CASANOVA on March 15, 2007, which is valid until March 31, 2009 (though it is unclear if the Order of Protection had been actually served on CASANOVA).

5. Efforts by the CPD to locate CASANOVA in the Chicago area have failed.

6. During the course of CPD's investigation into GARCIA's Homicide and the childrens' disappearance, CPD learned that CASANOVA was last observed with the children on the afternoon of April 18, 2008. CPD obtained cell phone records and bank records for GARCIA. The records revealed that between April 18, 2008 and April 22, 2008, GARCIA's cell phone and ATM card were being used, beginning in the Chicago area and ended with activity in Mexico on April 22, 2008. CPD has contacted a store in Arkansas where GARCIA's ATM card was used on April 19, 2008. Upon a request from CPD, the store reviewed their surveillance video which depicted CASANOVA using GARCIA's ATM card in the presence of the three children.

7. On April 23, 2008, the Circuit Court of Cook County issued an arrest warrant for CASANOVA after he was charged with Child Abduction.

8. Based on the above information, I believe that BENITO CASANOVA fled the State of Illinois to avoid prosecution for Child Abduction.

9. The Cook County State's Attorney's Office will extradite

CASANOVA when he is located.



SEAN J. BURKE
Special Agent
Federal Bureau of Investigation

Subscribed and Sworn to before
me this 23rd day of April, 2008



Maria Valdez
United States Magistrate Judge

(Rev. 12/19/00) CCCR 6656

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS

Case No. 08-1-13895-01

Benito CASANOVA

(First)

(M.I.)

(Last)

- Violation of:
 Probation
 Supervision
 Conditional Discharge

- AMF
 Arrest
 BFW

ARREST WARRANT

THE PEOPLE OF THE STATE OF ILLINOIS TO ALL PEACE OFFICERS IN THE STATE - GREETING:

We command you to arrest Defendant	Benito	CASANOVA
(First)	(M.I.)	(Last)
for the offense(s) of	Child Abduction	
		(Description)
720	ILCS	5 / 10-5 -3
		(Statutory Citation)

stated in a charge(s) now pending before this court and that you bring him/her instantaneously before The Circuit Court of Cook County at
555 N. Harrison 2650 S. California Room 106 11:30 am 6-4-98-
 (Location) (Room) (Call or Time)

or, if I am absent or unable to act, the nearest or most accessible court in Cook County or, if this warrant is executed in a county other than Cook, before the nearest or most accessible judge in the county where the arrest is made.

GEOGRAPHIC LIMITATIONS

Unless otherwise indicated below the geographic limitations are those as specified in 725 ILCS 5/107-2(e).



(Geographic Limitations)

Asst. Kelly Shirey
Prosecutor

Issued in Cook County

Bail Fixed at \$

Judge

April 23, 2008

No Bail

No.

Judge _____ No. _____
 WITNESS: DOROTHY BROWN, CLERK OF THE COURT and the Seal thereof,
Dorothy Brown By Andrea M. Flanagan
 Clerk of The Circuit Court Deputy Clerk